

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRIA RUSSELL,

Defendant.

Case No. CR08-42 MJP

DETENTION ORDER

Offenses Charged:

Count 1: Conspiracy to Commit Bank Fraud in violation of 18 U.S.C. §§ 1344(1) and (2) and 1349.

Date of Bond Revocation Hearing: July 18, 2008.

On February 13, 2008, defendant was released on bond by the undersigned Magistrate Judge and placed on Pretrial Services supervision with special conditions, including that she not have, use, consume, or possess a controlled substance, including medication, unless prescribed by a physician, and comply with the Electronic Monitoring Program under the direction of Pretrial Services. Dkt. No. 42.

Defendant began a pattern of ignoring the restrictions relating to controlled substances and electronic monitoring. Dkt. Nos. 99, 102, 137, 168. On March 18, April 24, May 7 and May 29, 2008, defendant tested positive for marijuana use and admitted to use. Dkt. Nos. 99, 121. On March 31 and June 11, 2008, defendant failed to comply with the Electronic

01 Monitoring Program by failing to return to her residence by 5:30 p.m and 8:30 p.m.,  
02 respectively, as scheduled, and admitted to non-compliance. Dkt. Nos. 102, 137. Defendant  
03 again failed to comply with the Electronic Monitoring Program on July 4th, 2008, when she  
04 failed to return as directed and on July 5, 2008, when she left her residence without  
05 permission.

06 In a Petition for Warrant dated July 7, 2008, Intensive Supervision Specialist Brenda  
07 L. Amundson asserted the following violations by defendant of the conditions of her  
08 supervised release:

- 09 (1) Andria Russell has violated the special condition that she comply with  
10 electronic monitoring program under the direction of Pretrial Services by  
11 returning late from her approved scheduled on July 4, 2008.
- 12 (2) Andria Russell has violated the special condition that she comply with the  
13 electronic monitoring program under the direction of Pretrial Services by  
14 leaving her residence without permission on July 5, 2008.

15 Dkt. No. 168.

16 On July 17, 2008, one day before she was to appear on a summons for the above  
17 violations, defendant again failed to comply with the Electronic Monitoring Program by  
18 returning late to her residence from her approved schedule.

19 In a Report of Supplemental Violations dated July 18, 2008, Intensive Supervision  
20 Specialist Brenda L. Amundson asserted the following violation by defendant of the conditions  
21 of her supervised release:

- 22 (3) Andria Russell has violated the special condition that she comply with the  
23 electronic monitoring program under the direction of Pretrial Services by  
24 returning late to her residence from her approved schedule on July 17, 2008.

25 Dkt. No. 171.

26 A bond revocation hearing on the alleged violations took place before the undersigned

Judge on July 18, 2008, at which time defendant was advised of the violations. A hearing was set on the violations for July 25, 2008. The undersigned Judge revoked release pending sentencing before the Honorable Marsha J. Pechman on July 25, 2008 at 9:15 a.m. Dkt. No. 173.

The Court conducted a revocation hearing pursuant to 18 U.S.C. § 3148, and based upon the factual findings and statement of reasons for detention hereafter set forth finds as follows:

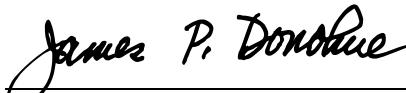
FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant has demonstrated a repeated inability or unwillingness to comply with the terms of her pretrial supervision.
- (2) Defendant has already pleaded guilty to her offense and is awaiting sentencing.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility pending sentencing;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 18th day of July, 2008.

  
 JAMES P. DONOHUE  
 United States Magistrate Judge